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In the UNITED STATES PATENT and TRADEMARK OFFICE

APPLICANT: Wolf, et al.	EXAMINER: Choi, F.
SERIAL NO.: 09/524,716	ART UNIT: 1616
FILING DATE: March 14, 2000	DOCKET NO.: 6671.US.01
TITLE: CARBOHYDRATE SYSTEM AND A METHOD FOR PROVIDING NUTRITION TO A DIABETIC	I certify that this correspondence (along with any paper referred to as being attached or enclosed) is being sent by facsimile transmission to (703) 746-5191 addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on the date shown below.
	<i>Sarah Mayhew</i> 10/26/01 Sarah Mayhew Date

Assistant Commissioner for Patents
Washington, D.C. 20231**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Dear Sir:

The above-identified owner of record of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,248,375. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and each prior patent is commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as define in 35 U.S.C. §154 to §156 and §173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that either later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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Check either box 1 or 2 below, if appropriate.

1. ☐ For submission on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

2. ☒ The undersigned is the patent agent of record.


Signature

Dated: October 26, 2001

Nickki L. Parlet Reg. No. 44,996
Typed or Printed Name

Terminal disclaimer fee under 37 C.F.R. §1.20(d) included.

- ☒ PTO suggested wording for terminal disclaimer was unchanged.
☐ Certification under 37 C.F.R. §3.73(b) is required if terminal disclaimer is signed by the assignee.